



## 2003 ASSEMBLY BILL 749

January 14, 2004 - Introduced by Representatives HUBLER, MUSSER, GRONEMUS, PETROWSKI and AINSWORTH. Referred to Committee on Transportation.

1     **AN ACT to amend** 349.16 (3) of the statutes; **relating to:** exempting certain  
2             vehicles from special or seasonal weight limitations imposed by local highway  
3             authorities.

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### *Analysis by the Legislative Reference Bureau*

Under current law, local highway authorities may impose special or seasonal weight limitations on highways under their jurisdiction that, because of deterioration or climatic conditions, would likely be seriously damaged or destroyed if such limitations were not imposed. Any special or seasonal weight limitations imposed by a local highway authority do not apply to any vehicle used to transport material pumped from a septic or holding tank if, because of health concerns, the material needs to be removed from the septic or holding tank within 24 hours after the vehicle owner or operator is notified and the vehicle is operated on the most direct route. The vehicle owner or operator is required to notify the local highway authority within 72 hours after operating such a vehicle in excess of the special or seasonal weight limitations. In addition, local highway authorities may exempt or set different weight limitations for other vehicles carrying certain commodities or being used to perform certain services if an exemption or limitation is in the interest of public health, safety, and welfare.

This bill removes the conditions that must be satisfied for a vehicle transporting material pumped from a septic or holding tank to be exempt from the special or seasonal weight limitations imposed by a local highway authority. Under the bill, all vehicles transporting material pumped from a septic or holding tank are

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exempt from such limitations. The bill provides that vehicles transporting solid waste are also exempt from any special seasonal weight limitations imposed by local highway authorities.

Because this bill concerns an exception to the vehicle weight limits specified in ch. 348, stats., the Department of Transportation, as required by law, will prepare a report to be printed as an appendix to this bill.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 349.16 (3) of the statutes is amended to read:

2           349.16 (3) The authority in charge of the maintenance of the highway may  
3 exempt vehicles carrying certain commodities specified by the authority or which are  
4 used to perform certain services specified by the authority from the special weight  
5 limitations which are imposed under sub. (1) (a), or may set different weight  
6 limitations than those imposed under sub. (1) (a) for vehicles carrying those  
7 commodities or which are used to perform those services, if such exemption or  
8 limitation is reasonable and necessary to promote the public health, safety and  
9 welfare. The authority in charge of the maintenance of the highway shall exempt  
10 from the special or seasonal weight limitations imposed under sub. (1) (a) a vehicle  
11 that is used to transport solid waste, as defined in s. 281.01 (15), or material pumped  
12 from a septic or holding tank ~~if, because of health concerns, material needs to be~~  
13 ~~removed from a septic or holding tank within 24 hours after the vehicle owner or~~  
14 ~~operator is notified and if the vehicle is operated for the purpose of emptying the~~  
15 ~~septic or holding tank and disposing of its contents and is operated on a route that~~  
16 ~~minimizes travel on highways subject to weight limitations imposed under sub. (1)~~  
17 ~~(a). Within 72 hours after operating a vehicle that transported material pumped~~  
18 ~~from a septic or holding tank and that exceeded special or seasonal weight~~

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1 ~~limitations as authorized by this subsection, the owner or operator of the vehicle~~  
2 ~~shall notify the authority in charge of maintenance of the highways over which the~~  
3 ~~vehicle was operated.~~

4 **SECTION 2. Initial applicability.**

5 (1) This act first applies to special or seasonal weight limitations imposed on  
6 the effective date of this subsection.

7 (END)